

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18993 of 2014

Arvind Kumar S/o late Ram Yatan Singh resident of Santi Niwas, near R B S School, Chanakya Nagar, Kumhrar, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Public Health Engineering Department, Government of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Government of Bihar, Nirman Bhawan, Patna-15.
3. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Government of Bihar, Nirman Bhawan, Patna-15.
4. The Additional Secretary, Public Health Engineering Department, Government of Bihar, Nirman Bhawan, Patna-15.
5. The Under Secretary, Public Health Engineering Department, Government of Bihar, Nirman Bhawan, Patna-15.
6. The Accountant General, Bihar, Patna.
7. The Inspector General, Economic Offences Unit, Bihar, Patna.
8. The Superintending Engineer, Public Health Circle, Chapra, Bihar.
9. The Executive Engineer, Public Health Division, Chapra, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Singh, Advocate
For the Respondent/s	:	Mr.Rajeev Kr. Sinha, AC to AAG 7
For A.G.	:	Mr. Arun Kr. Arun, Advocate
For E.O.U.	:	Mr. V.N.P. Sinha, Sr. Advocate
	:	Mr. Vijay Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 03-08-2023

1. The present petition has been filed seeking the following relief :-

“(i) For issuance of a writ of certiorari or writs in the nature thereof or any other appropriate writs/orders/ directions for quashing order No.5/आ 0 4-106/2016-757 dated 18.09.2014 of the Engineer-in-Chief-



cum-Special Secretary, PHED, Patna contained in Memo No.5/आ 0 4- 106/2016-757 dated 18.9.2014 whereby and where under the petitioner has been dismissed from his services as per Rule 14 (x) of Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 and be further pleased to direct the respondents to reinstate the petitioner and to regularize the period of his absence and to make payment of pay and allowances in accordance with sub rule (3) of Rule 13 of Bihar Government Servants (Classification, Control & Appeal) Rules, 2005 along with any other consequential benefits admissible in law to the petitioner.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to file appropriate appeal/ revision before the competent authority. Liberty so sought, is granted.

3. It is needless to state that in case, appropriate appeal/ revision is filed within a period of four weeks from today, the competent authority shall consider the same on merits, without being impeded by the issue of limitation and pass a reasoned and a speaking order, thereon, within a period



of 12 weeks. thereafter.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.08.2023
Transmission Date	NA

